APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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		EXAMINER
7590 06/29/2006		DUONG, THOMAS

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ART UNIT	PAPER NUMBER
2145	

DATE MAILED: 06/29/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)
	10/767,442	SATO, EIICHI
	Examiner	Art Unit	
	Thomas Duong	2145	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>06 June 2006</u>.

2a)☐ This action is **FINAL.**   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle,* 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) <u>1, 5-7, and 9-33</u> is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) <u>1, 5-7, and 9-33</u> is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
    Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____.

5)☐ Notice of Informal Patent Application (PTO-152)

6)☐ Other: _____.

DETAILED ACTION

Request for Continued Examination

1.   A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114.

2.   Amendment received June 6, 2006 has been entered into record. *Claims 1, 5-7, and 9-33* remain pending.

Response to Amendment

3.   This office action is in response to the applicants Amendment filed on May 15, 2006. Applicant amended *claims 1, 11, 13, and 20* and added *claims 26-33*. *Claims 1, 5-7, and 9-33* are presented for further consideration and examination.

Claim Rejections - 35 USC § 103

4.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

5.   _Claims 1, 5-7, and 9-33_ are rejected under 35 U.S.C. 103(a) as being unpatentable over

        Kenley et al. (US005276867A), in view of Iwamura et al. (US 20040049553A1), in view

        of Webber et al. (US005367698A), and further in view of Ofek et al. (US006108748A).

6.   With regard to _claims 1, 11, 13, and 20_, Kenley discloses,

        *   _means for relating a shared file system of the migration source file sharing device_

            to the shared file system of the migration destination file sharing device and for

            determining a mount point that corresponds the shared file system of the

            migration source file sharing device to the shared file system of the migration

            destination file sharing device, _the migration source shared file system having a_

            plurality of files; (Kenley, col.2, lines 18-30; col.8, line 25 – col.9, line 59; col.14,

            lines 37-39)

            Kenley teaches _"a preferred backup processor 12 [that] carries out the backup_

            process with the storage server 18 on-line and available for access to its users"

            (Kenley, col.8, lines 29-31). According to Kenley, _"the backup processor 12_

            scans the file system, e.g., the directories of system disks 18, for candidate files

            to copy to the baseline backup volume 20" (Kenley, col.8, lines 44-46) and then

            "the file is copied to the baseline backup volume 20" (Kenley, col.8, lines 58-59).

            Furthermore, Kenley clearly states that this migration process takes places _"for_

            each candidate file" (Kenley, col.8, line 49) and more specifically, on a _"file-by-file_

            basis" (Kenley, col.14, lines 37-39).

        *   _means for migrating data from the migration source file sharing device to the_

            migration destination file sharing device on a file by file basis; (Kenley, col.2,

            lines 18-30; col.8, line 25 – col.9, line 59; col.14, lines 37-39)

Kenley teaches *"a preferred backup processor 12 [that] carries out the backup*

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"the file is copied to the baseline backup volume 20" (Kenley, col.8, lines 58-59).

Furthermore, Kenley clearly states that this migration process takes places *"for*

each candidate file" (Kenley, col.8, line 49) and more specifically, on a *"file-by-file*

basis" (Kenley, col.14, lines 37-39).

However, Kenley does not explicitly disclose,

- *means for relating a shared file system of the migration source file sharing device*

  to the shared file system of the migration destination file sharing device <u>and for</u>

  <u>determining a mount point that corresponds the shared file system of the</u>

  <u>migration source file sharing device to the shared file system of the migration</u>

  <u>destination file sharing device,</u> the migration source shared file system having a

  plurality of files;

Iwamura teaches,

- *means for relating a shared file system of the migration source file sharing device*

  to the shared file system of the migration destination file sharing device <u>and for</u>

  <u>determining a mount point that corresponds the shared file system of the</u>

  <u>migration source file sharing device to the shared file system of the migration</u>

  <u>destination file sharing device,</u> the migration source shared file system having a

  plurality of files; (Iwamura, pg.1, para.6-11; pg.2, para.23-28, 32; pg.3, para.50 ;*

  pg.4, para.53-61; pg.5, para.74-81; fig.3-4)

Iwamura discloses, *"the correspondence between the storage area created in the migration target storage subsystem 110 and the storage area in the migration source storage subsystem 100 which become a data migration source will be retained"* (Iwamura, pg.5, para.75). In addition, according to Iwamura, *"the correspondence information retained in the Step 401 to the data migration function 212 of the migration target storage subsystem 110, and request the migration target storage subsystem 110 so as to move data of the storage area existing in the migration source storage subsystem 100 to the migration target storage subsystem 110 (Step 407)"* (Iwamura, pg.5, para.81). Hence, Iwamura teaches of maintaining the correspondence information between the storage area of the target migration subsystem and the storage area of the migration source subsystem.

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to combine the teachings of Iwamura with the teachings of Kenley to *"[provide a data processing system capable of easily performing a change in an accesses path of the storage subsystem associated with the data migration"* (Iwamura, pg.1, para.6). Furthermore, Iwamura states *"data management for, for example, an I/O request from the host during data migration may be performed as described in, for example, the U.S. Pat. No. 6,108,748... [By] referring to a bit flag of this bit map, it is determined whether or not the data block has been transferred. If the data block requested from the host is not transferred to the migration transfer target storage subsystem, the I/O request may be transferred to the original storage subsystem to read the data block from there for transmitting to the host"* (Iwamura, pg.3, para.50).

However, Kenley and Iwamura do not explicitly disclose,

- *means for setting or changing a migration status of each file;*

Webber teaches,

- *means for setting or changing a migration status of each file;* (Webber, col.l3,

  lines 22-62; col.7, line 37 – col.8, line 30)

  Webber teaches of utilizing a status to keep track of whether files are migrated or

  not.

Therefore, it would have been obvious to one of ordinary skill in the art at the time of

the invention was made to combine the teachings of Webber with the teachings of

Kenley and Iwamura to *"provide such systems that are transparent to users and*

applications programs, and which automatically operate with the characteristics of

magnetic disks in conjunction with user's existing or native file systems without

necessitating changes" (Webber, col.3, lines 7-12) and to *"provide such systems*

having automated and effective backup and file restore functions" (Webber, col.3,

lines 13-15).

However, Kenley, Iwamura, and Webber do not explicitly disclose,

- *means for causing access from the host computer to be switched from the*

  migration source file sharing device to the migration destination file sharing

  device;

- *means for detecting the migration status of data to which access has been*

  requested by the host computer;

- *means for providing the data from the file system of the migration destination file*

  sharing device in a case where the detected migration status of the data is a

status where the data can be used from the file system of the migration

destination file sharing device; and

- *means for providing the data from the file system of the migration source file*

  sharing device in a case where the detected migration status of the data is a

  status where the data cannot be used from the file system of the migration

  destination file sharing device.

Ofek teaches,

- *means for causing access from the host computer to be switched from the*

  migration source file sharing device to the migration destination file sharing

  device; (Ofek, col.2, lines 49-52; col.7, lines 7-17)

  Ofek teaches *"in the case of a read operation, [the] second data storage device*

  examines the data map or table to determine whether or not the data has been

  migrated to and is stored on the second data storage device" (Ofek, col.2, lines

  49-52). Hence, Ofek teaches of a decision step to determining the location of the

  requested data (e.g., migrated data located on the second or destination storage

  system or data not migrated located on the first or source storage system) in

  order to respond appropriately.

- *means for detecting the migration status of data to which access has been*

  requested by the host computer; (Ofek, col.2, lines 49-52; col.7, lines 7-17)

  Ofek teaches *"in the case of a read operation, [the] second data storage device*

  examines the data map or table to determine whether or not the data has been

  migrated to and is stored on the second data storage device" (Ofek, col.2, lines

  49-52). Hence, Ofek teaches of a decision step to determining the location of the

  requested data (e.g., migrated data located on the second or destination storage

system or data not migrated located on the first or source storage system) in order to respond appropriately.

- *means for providing the data from the file system of the migration destination file sharing device in a case where the detected migration status of the data is a status where the data can be used from the file system of the migration destination file sharing device; and* (Ofek, col.2, lines 52-54; col.7, lines 22-26) Ofek teaches *"if it is determined that the data is stored on the second data storage device, the data is made available to the requesting device"* (Ofek, col.2, lines 52-54). Hence, Ofek teaches of making the requested data available to the requesting device from the second or destination storage system if the data has been migrated to it.

- *means for providing the data from the file system of the migration source file sharing device in a case where the detected migration status of the data is a status where the data cannot be used from the file system of the migration destination file sharing device.* (Ofek, col.2, lines 55-61; col.7, lines 27-46) Ofek teaches *"if the data is not stored on the second data storage device, the second data storage device issues a data request, in form of a read data command, to the first data storage device, obtains the data and makes the data available to the requesting device"* (Ofek, col.2, lines 55-59). Hence, Ofek teaches of making the requested data available to the requesting device from the first or source storage system if the data has not been migrated.

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to combine the teachings of Ofek with the teachings of Kenley, Iwamura, and Webber to *"provide digital data storage systems having the*

speed and convenience of online data storage, and the economy and large capacity of offline storage,... to provide digital data storage systems that incorporate improved data migration methods,... [and] to provide a data migration system that reduces the time associated with conventional data migration schemes, to the point that data migration occurs in a manner that is 'transparent'—i.e., not discernable to the user" (Kenley, col.2, lines 18-30). According to Ofek, it is advantageous to *"[allow] data migration between a first data storage system and a second data storage system while the database is open and a real-time data migration that is completely transparent to the host or data processing unit"* (Ofek, col.2, lines 12-16).

7. With regard to <u>claims 5-7</u>, Kenley, Iwamura, Webber, and Ofek disclose,

- *further comprising means for updating the network environment information of the migration source file sharing device to other values after starting the migration destination file sharing device on the basis of temporary setting-use network environment information, and for causing causes the migration destination file sharing device to inherit the updated network environment information of the migration source file sharing device.* (Kenley, col.2, lines 18-30; col.8, line 25 – col.9, line 59; col.14, lines 37-39; Webber, col.l3, lines 22-62; col.7, line 37 – col.8, line 30; Ofek, col.2, lines 49-52; col.7, lines 7-17; col.2, lines 55-61; col.7, lines 27-46)

- *further comprising monitoring means for monitoring whether or not the network environment information of the migration source file sharing device has been updated to the other values.* (Kenley, col.2, lines 18-30; col.8, line 25 – col.9, line

59; col.14, lines 37-39; Webber, col.l3, lines 22-62; col.7, line 37 – col.8, line 30;

Ofek, col.2, lines 49-52; col.7, lines 7-17; col.2, lines 55-61; col.7, lines 27-46)

- *wherein the inheriting of the network environment information from the migration*

  source file sharing device and the updating of the network environment

  information of the migration source file sharing device are respectively conducted

  by remote control. (Kenley, col.2, lines 18-30; col.8, line 25 – col.9, line 59;

  col.14, lines 37-39; Webber, col.l3, lines 22-62; col.7, line 37 – col.8, line 30;

  Ofek, col.2, lines 49-52; col.7, lines 7-17; col.2, lines 55-61; col.7, lines 27-46)

8.   With regard to *claim 9*, Kenley, Iwamura, Webber, and Ofek disclose,

- *further including use frequency detecting means that detects the use frequency*

  of data that cannot be used from the file system of the migration destination file

  sharing device, wherein data migrating priority is given to data whose use

  frequency detected by the use frequency detecting means is equal to or greater

  than a predetermined value. (Ofek, col.3, line 55 – col.4, line 4)

9.   With regard to *claim 10*, Kenley, Iwamura, Webber, and Ofek disclose,

- *wherein data migration statuses include*

  - *a first migration status representing a status where migration of data from*

    the file system of the migration source file sharing device to the file

    system of the migration destination file sharing device has not been

    conducted, (Ofek, col.2, lines 55-61; col.7, lines 27-46, col.8, line 25 –*

    col.9, line 27, col.9, lines 45-67, col.10, lines 14-58)

- *a second migration status representing a status where data is migrating from the file system of the migration source file sharing device to the file system of the migration destination file sharing device,* (Ofek, col.2, lines 55-61; col.7, lines 27-46, col.8, line 25 – col.9, line 27, col.9, lines 45-67, col.10, lines 14-58)

- *a third migration status representing a status where migration of data from the file system of the migration source file sharing device to the file system of the migration destination file sharing device has been completed, and* (Ofek, col.2, lines 55-61; col.7, lines 27-46, col.8, line 25 – col.9, line 27, col.9, lines 45-67, col.10, lines 14-58)*a fourth migration status representing a status where data is being provided from the file system of the migration source file sharing device; and*

- *in the case of the first migration status, a migration status of data to which access has been requested is changed to the fourth migration status, provides the data from the file system of the migration source file sharing device, and thereafter returns the migration status of the data to the first migration status,* (Ofek, col.2, lines 55-61; col.7, lines 27-46, col.8, line 25 – col.9, line 27, col.9, lines 45-67, col.10, lines 14-58)

- *in the case of the second migration status, the data from the file system of the migration source file sharing device is provided in a read-only mode,* (Ofek, col.2, lines 55-61; col.7, lines 27-46, col.8, line 25 – col.9, line 27, col.9, lines 45-67, col.10, lines 14-58)

- *in the case of the third migration status, the data from the file system of the migration destination file sharing device is provided, and* (Ofek, col.2,

lines 55-61; col.7, lines 27-46, col.8, line 25 – col.9, line 27, col.9, lines

45-67, col.10, lines 14-58)

- *in the case of the fourth migration status, the data from the file system of*

  the migration source file sharing system is provided in the read-only mode

  and thereafter the migration status of the data is changed to the first

  migration status. (Ofek, col.2, lines 55-61; col.7, lines 27-46, col.8, line 25

  – col.9, line 27, col.9, lines 45-67, col.10, lines 14-58)

10.   With regard to *claim 12,* Kenley, Iwamura, Webber, and Ofek disclose,

- *wherein the step of causing access from the host computer to be switched to the*

  migration destination file sharing device is one that causes access from the host

  computer to be switched from the migration source file sharing device to the

  migration destination file sharing device without changing network connection

  information that is set in the host computer. (Kenley, col.2, lines 18-30; col.8, line

  25 – col.9, line 59; col.14, lines 37-39; Webber, col.I3, lines 22-62; col.7, line 37 –

  col.8, line 30; Ofek, col.2, lines 49-52; col.7, lines 7-17; col.2, lines 55-61; col.7,

  lines 27-46)

11.   With regard to *claims 14, 16, 18, and 24,* Kenley, Iwamura, Webber, and Ofek disclose,

- *further comprising:*

  - *means for causing the migration destination file sharing device to inherit, prior*

    to data migration, network environment information for identifying the

    migration source file sharing device on the communications network.

(Iwamura, pg.1, para.6-11; pg.2, para.23-28, 32; pg.3, para.50; pg.4, para.53-

61; pg.5, para.74-81; fig.3-4)

Iwamura teaches *"before the data migration, the migration source storage*

system 100 is assigned Address A as the IP address" (Iwamura, pg.4,

para.56), *"next, the IP address which has been assigned to the migration*

source storage subsystem 100 will be changed from such Address A ... to

such a different Address B" (Iwamura, pg.4, para.59), *"next, the IP address of*

the migration target storage subsystem 110 will be assigned to Address A"

(Iwamura, pg.4, para.60) making it *"possible to obtain access to the migration*

target storage subsystem 110 through the use of the Address A" (Iwamura,

pg.4, para.56). In addition, Iwamura teaches *"in the migration target storage*

subsystem 110, there will be provided the same storage area ... as the

storage area ... which the migration source storage subsystem 100 has (copy

of configuration 321)" (Iwamura, pg.4, para.57). Hence, Iwamura teaches of

the migration destination inheriting the configuration and network

identification information of the migration source before the migration.

Therefore, it would have been obvious to one of ordinary skill in the art at the time of

the invention was made to combine the teachings of Iwamura with the teachings of

Kenley, Ofek, and Webber to *"[allow for] data migration between a first data storage*

system and a second data storage system while the database is open and a real-

time data migration that is completely transparent to the host or data requesting

device" (Ofek, col.I2, lines 12-16). Furthermore, Iwamura states *"data management*

for, for example, an I/O request from the host during data migration may be

performed as described in, for example, the U.S. Pat. No. 6,108,748... [By] referring

to a bit flag of this bit map, it is determined whether or not the data block has been

transferred. If the data block requested from the host is not transferred to the

migration transfer target storage subsystem, the I/O request may be transferred to

the original storage subsystem to read the data block from there for transmitting to

the host" (Iwamura, pg.3, para.50).

12.   With regard to *claims 15, 17, and 19,* Kenley, Iwamura, Webber, and Ofek disclose,

- *wherein the means for relating the shared file system of the migration destination*

    file sharing device with the shared file system of the migration source file sharing

    device copies a name of the shared file system of the migration source file

    sharing device so as to be a name of the shared file system of the migration

    destination file sharing device. (Iwamura, pg.1, para.6-11; pg.2, para.23-28, 32;*

    pg.3, para.50; pg.4, para.53-61; pg.5, para.74-81; fig.3-4)

Therefore, it would have been obvious to one of ordinary skill in the art at the time of

the invention was made to combine the teachings of Iwamura with the teachings of

Kenley, Ofek, and Webber to *"[allow for] data migration between a first data storage*

system and a second data storage system while the database is open and a real-

time data migration that is completely transparent to the host or data requesting

device" (Ofek, col.l2, lines 12-16). Furthermore, Iwamura states *"data management*

for, for example, an I/O request from the host during data migration may be

performed as described in, for example, the U.S. Pat. No. 6,108,748... [By] referring

to a bit flag of this bit map, it is determined whether or not the data block has been

transferred. If the data block requested from the host is not transferred to the

migration transfer target storage subsystem, the I/O request may be transferred to

the original storage subsystem to read the data block from there for transmitting to the host" (Iwamura, pg.3, para.50).

13.   With regard to *claims 21-23*, Kenley, Iwamura, Webber, and Ofek disclose,

- *wherein the means for causing the migration destination file sharing device to inherit, prior to data migration, network environment information for identifying the migration source file sharing device on the communications network further includes:*
  - *means for acquiring the network environment information from the migration source file sharing device,* (Iwamura, pg.1, para.6-11; pg.2, para.23-28, 32; pg.3, para.50; pg.4, para.53-61; pg.5, para.74-81; fig.3-4)
  - *means for changing the network environment information into change-use network environment information and for restarting the migration source file sharing device,* (Iwamura, pg.1, para.6-11; pg.2, para.23-28, 32; pg.3, para.50; pg.4, para.53-61; pg.5, para.74-81; fig.3-4)
  - *means for confirming whether the migration source file sharing device restarts with the change-use network environment information, and* (Iwamura, pg.1, para.6-11; pg.2, para.23-28, 32; pg.3, para.50; pg.4, para.53-61; pg.5, para.74-81; fig.3-4)
  - *means for changing network environment information of the migration destination file sharing device into the original network environment information of the migration source file sharing device.* (Iwamura, pg.1, para.6-11; pg.2, para.23-28, 32; pg.3, para.50; pg.4, para.53-61; pg.5, para.74-81; fig.3-4)

Therefore, it would have been obvious to one of ordinary skill in the art at the time of

the invention was made to combine the teachings of Iwamura with the teachings of

Kenley, Ofek, and Webber to *"[allow for] data migration between a first data storage*

system and a second data storage system while the database is open and a real-

time data migration that is completely transparent to the host or data requesting

device" (Ofek, col.I2, lines 12-16). Furthermore, Iwamura states *"data management*

for, for example, an I/O request from the host during data migration may be

performed as described in, for example, the U.S. Pat. No. 6,108,748... [By] referring

to a bit flag of this bit map, it is determined whether or not the data block has been

transferred. If the data block requested from the host is not transferred to the

migration transfer target storage subsystem, the I/O request may be transferred to

the original storage subsystem to read the data block from there for transmitting to

the host" (Iwamura, pg.3, para.50).

14.   With regard to <u>claim 25</u>, Kenley, Iwamura, Webber, and Ofek disclose,

- *wherein the eighth component is further formed to acquire the network*

  environment information from the migration source file sharing device, to change

  the network environment information into change-use network environment

  information and for restarting the migration source file sharing device, to confirm

  whether the migration source file sharing device restarts with the change-use

  network environment information, and to change network environment

  information of the migration destination file sharing device into the original

  network environment information of the migration source file sharing device.

(Iwamura, pg.1, para.6-11; pg.2, para.23-28, 32; pg.3, para.50; pg.4, para.53-61;

pg.5, para.74-81; fig.3-4)

15.   With regard to *claims 26, 28, 30, and 32*, Kenley, Iwamura, Webber, and Ofek disclose,

- *wherein said means for relating the shared file system of the migration source file*

   sharing device to the shared file system of the migration destination file sharing

   device is further configured to correspond a name of a migration source host, a

   name of the shared file system of the migration source file sharing device, the

   mount point that corresponds the shared file system of the migration source file

   sharing device to the shared file system of the migration destination file sharing

   device, a name of the shared file system of the migration destination file sharing

   device, and a file migration status of files to be migrated to each other. (Iwamura,

   pg.1, para.6-11; pg.2, para.23-28, 32; pg.3, para.50; pg.4, para.53-61; pg.5,

   para.74-81; fig.3-4)

16.   With regard to *claims 27, 29, 31, and 33*, Kenley, Iwamura, Webber, and Ofek disclose,

- *wherein said means for relating the shared file system of the migration source file*

   sharing device to the shared file system of the migration destination file sharing

   device is further configured to correspond a name of a migration source host, a

   name of the shared file system of the migration source file sharing device, and a

   name of the shared file system of the migration destination file sharing device to

   each other. (Iwamura, pg.1, para.6-11; pg.2, para.23-28, 32; pg.3, para.50; pg.4,

   para.53-61; pg.5, para.74-81; fig.3-4)

Response to Arguments

17.   Applicant's arguments with respect to *claims 1, 11, 13, and 20* have been considered but
they are not persuasive.

18.   With regard to <u>*claims 1, 11, 13, and 20*</u>, the Applicants point out that:

- *Applicants will respectfully contend none of the cited references discloses,*
  teaches or suggests any combination of elements or steps that embody each and
  every element of the present invention, including the element or step of
  determining a mount point that corresponds the shared file system of the
  migration source file sharing device to the shared file system of the migration
  destination file sharing device.

  However, the Examiner finds that the Applicants' arguments are not persuasive
  because Iwamura discloses, *"the correspondence between the storage area created*
  in the migration target storage subsystem 110 and the storage area in the migration
  source storage subsystem 100 which become a data migration source will be
  retained" (Iwamura, pg.5, para.75). In addition, according to Iwamura, *"the*
  correspondence information retained in the Step 401 to the data migration function
  212 of the migration target storage subsystem 110, and request the migration target
  storage subsystem 110 so as to move data of the storage area existing in the
  migration source storage subsystem 100 to the migration target storage subsystem
  110 (Step 407)" (Iwamura, pg.5, para.81). Hence, Iwamura teaches of maintaining
  the correspondence information between the storage area of the target migration
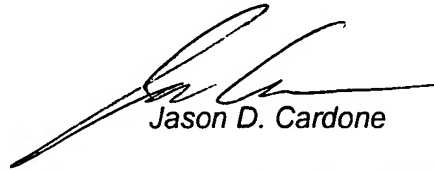 subsystem and the storage area of the migration source subsystem.

Conclusion

19.   Any inquiry concerning this communication or earlier communications from the examiner

should be directed to Thomas Duong whose telephone number is 571/272-3911. The

examiner can normally be reached on M-F 7:30AM - 4:00PM. If attempts to reach the

examiner by telephone are unsuccessful, the examiner's supervisor, Jason D. Cardone

can be reached on 571/272-3933. The fax phone numbers for the organization where

this application or proceeding is assigned are 571/273-8300 for regular communications

and 571/273-8300 for After Final communications.

Thomas Duong (AU2145)   *Jason D. Cardone*

June 24, 2006   *Supervisory PE (AU2145)*